

Notice of Allowability

Application No.

09/854,613

Examiner

Joseph A. Fischetti

Applicant(s)

CAPEK ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/24/06 Response.
2. ☒ The allowed claim(s) is/are 27-30, 32-39, 53-55, 57-59, 61-63
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JOSEPH A. FISCHETTI
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Atty. Grossman on 9/29/06.

Amendments to the claims:

1-26. (Cancelled)

27. (Currently Amended) A method as in Claim ~~26~~63, wherein said database further includes a description of destinations previously visited by said user.

28. (Currently Amended) A method as in Claim ~~26~~63, wherein said database further includes a history of items previously requested by said user.

29. (Currently Amended) A method as in Claim ~~26~~63, wherein said database further includes personal data of a clothing size, a height, and a weight of said user.

30. (Currently Amended) A method as in Claim ~~26~~63, wherein said preferences include preferred activities and preferred colors of the user.

31. (Cancelled)

32. (Currently Amended) A method as in Claim ~~26~~63, further comprising determining a fee for providing said items to the user at the destination.

33. (Previously Presented) A method as in Claim 32, wherein said fee is determined by at least one server computing device used to manage said database.

34. (Currently Amended) A method as in Claim ~~26~~63, wherein said provided items are sold, leased, rented, loaned, and provided free to the user.

35. (Currently Amended) A method as in Claim ~~26~~63, further comprising a step of generating a user profile from the a database information corresponding to said user upon said user performing said selecting step.

36. (Currently Amended) A method as in Claim ~~26~~63, wherein said time frame indicates when said user will arrive at said destination and when said user will depart said destination.

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37. (Currently Amended) A method as in Claim ~~26~~63, wherein said time frame indicates when said items are to be provided at said destination.

38. (Previously Presented) A method as in Claim 36, further comprising a step of forwarding said time frame to said supplier, said supplier providing said selected items at said destination within said time frame.

39. (Previously Presented) A method as in Claim 37, further comprising a step of forwarding said time frame to said supplier, said supplier providing said selected items at said destination within said time frame.

40-52. (Cancelled)

53. (Currently Amended) The method as in Claim ~~26~~63, wherein said network is selected from one of the Internet, wireless, or telephone.

54. (Previously Presented) The method as in Claim 53, wherein said selecting step is performed on an interactive world wide web based service, where a history for each user is maintained and interactive selection of desired items to be rented, purchased, and delivered to the destination is performed.

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55. (Currently Amended) The method as in Claim 2663, further comprising a step of selecting preferences including styles and colors of the items.

56. (Cancelled)

57. (Currently Amended) The method as in Claim 2663, further comprising a step of labeling and packing the chosen items.

58. (Currently Amended) The method as in Claim 2663, further comprising a step of discounting travel service to promote providing said items to said destination.

59. (Currently Amended) The method as in Claim 2663, further comprising a step of packing said items in luggage.

60. (Cancelled)

61. (Currently Amended) The method as in Claim 2663, wherein said suppliers providing step further comprises notifying said suppliers of a change in the user's destination; and providing said items to said changed destination.

62. (Currently Amended) The method as in Claim ~~26~~ 63, wherein said suppliers' providing step further comprises notifying said suppliers of a change in the user's time frame; and providing said items within said time frame.

63. (Currently Amended) A method in a computerized system of providing one or more personal use items for expected use by a user to one or more destinations to which the user intends to travel, the personal use items being provided by a plurality of suppliers able to deliver the personal use items to the destination within a time frame set by the user, the method comprising the steps of:

determining by the user the personal use items needed at the one or more destinations and to be packed in a suitcase;

describing in at least one databases accessible via a network, each of the plurality of destinations to which the user can travel, each of the plurality of participating suppliers at each of said destinations, and personal use items offered by said suppliers at each of said destinations, said description of personal use items being provided by means of spoken words;

selecting a destination, personal use items, a user's time frame, and special labeling instructions presented in Braille or other tactile reading indicia;

generating, by said computerized system, at least one list of said selected personal use items picked from the plurality of items according to user's preferences, said user's time frame, availability of said personal use items, and ability of a supplier to deliver said personal use items to said destination within said user's time frame;

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eliminating the personal use items contained on the at least one list from those items to be packed in the suitcase;

generating, by said computerized system, instructions as to the placement of said personal use items in placement locations at said one or more destinations indicated in advance by said user; and

said computerized system communicating with said suppliers to convey information relating to said personal use items to be provided at the destination within said user's time frame, and with said special labeling instructions and in placement locations indicated in advance by said user; and

~~for providing~~ said suppliers supplying said personal use items to the destination within said user's time frame, and with said special labeling instructions and in placement locations indicated in advance by said user.

The following is an examiner's statement of reasons for allowance:

1. Clear statement of Reasons for Allowance.

Claim 63 the sole independent claim distinguishes over EXPEDIA.COM, the closest prior art, because EXPEDIA.COM neither discloses or suggests setting forth a description of personal use items to be ordered by means of spoken words and providing for special labeling instructions presented in Braille or other tactile reading indicia on items ordered, generating, by said computerized system, instructions as to the placement of said personal use items in placement locations at said one or more destinations indicated in advance by said user so that the visually impaired person will not have to work to find where the items are once at the destination and the suppliers supplying said personal use items to the destination within said user's time frame, and with said special labeling instructions and in placement locations indicated in advance by said user so that the visually impaired person will not have to work to find where the items are once at the destination.

2. Search Area and Tools

See record

3. Search Record:

See record

4. Reference Citations:

US: Claim 63 the sole independent claim distinguishes over US. 5948040 to Delorme because Delorme neither discloses or suggests setting forth a description of personal use items to be ordered by means of spoken words, providing for special labeling instructions presented in Braille or other tactile reading indicia on items ordered, generating, by said computerized system, instructions as to the placement of said personal use items in placement locations at said one or more destinations indicated in advance by said user so that the visually impaired person will not have to work to find where the items are once at the destination and the suppliers supplying said personal use items to the destination within said user's time frame, and with said special labeling instructions and in placement locations indicated in advance by said user so that the visually impaired person will not have to work to find where the items are once at the destination.

Foreign: JP 10097651 A disclose Ticket dispenser used in e.g. railway traffic system - has control unit that regulates display unit when showing information for ticket purchasing in response to touch panel segments, and ticket issuing unit that operates based on information entered to touch panel, but fails to disclose or suggest setting forth a description of personal use items to be ordered by means of spoken words, providing for special labeling instructions presented in Braille or other tactile reading indicia on items ordered, generating, by said computerized system, instructions as to

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the placement of said personal use items in placement locations at said one or more destinations indicated in advance by said user so that the visually impaired person will not have to work to find where the items are once at the destination and the suppliers supplying said personal use items to the destination within said user's time frame, and with said special labeling instructions and in placement locations indicated in advance by said user so that the visually impaired person will not have to work to find where the items are once at the destination.

NPL

Claim 63 the sole independent claim distinguishes over EXPEDIA.COM because EXPEDIA.COM neither discloses or suggests setting forth a description of personal use items to be ordered by means of spoken words, providing for special labeling instructions presented in Braille or other tactile reading indicia on items ordered, generating, by said computerized system, instructions as to the placement of said personal use items in placement locations at said one or more destinations indicated in advance by said user so that the visually impaired person will not have to work to find where the items are once at the destination and the suppliers supplying said personal use items to the destination within said user's time frame, and with said special labeling instructions and in placement locations indicated in advance by said user so that the visually impaired person will not have to work to find where the items are once at the destination.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows:

www.southwest.com, u.s. airways News release, Contra Costa Times and

Travelocity disclose advance trip reservations of items or services in advance of travel to be used at travelers destination.

EPO 112040 disclose an electronic ordering system;

6134532 discloses real time ordering with customizing feature;

6134534 discloses travel sales based on CPO;

6058373 discloses electronic ordering with input using forms;

5832451 discloses ordering with customizing feature;

5422809 discloses a destination information rendering device;

5983200 discloses ordering with customizing feature;

5724520 discloses a remote ticketing device;

5960411 discloses ordering with customizing feature;

5832451 discloses ordering with customizing feature;

5732398 discloses travel services sales device;

5393964 discloses travel service device;

6415291 discloses remote access ordering with customizing feature;

6408307 discloses GPS with location description feature.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Joseph A. Fischetti at telephone number 571 272 6780.


JOSEPH A. FISCHETTI
PRIMARY EXAMINER
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Primary Examiner
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